

PC 45

N.B. FOR CLERK'S USE ONLY

JUDGMENT ENTERED ON DOCKET October 17, 19 83  
PURSUANT TO MASS.R.CIV.P.58(a) AND NOTICE SENT  
TO PARTIES PURSUANT TO MASS.R.CIV.P.77(d)  
AS FOLLOWS:

\*\*\*\*\*

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CIVIL ACTION

No. 54258

MICHAEL J. FLYNN

PLAINTIFF(S)

v.

CHURCH OF SCIENTOLOGY OF DEFENDANT(S)  
CALIFORNIA, INC., et al

JUDGMENT OF DISMISSAL  
(OTHER THAN WHEN ISSUES DECIDED BY COURT OR JURY)

THE COMPLAINT OF PLAINTIFF(S) MICHAEL J. FLYNN

IS DISMISSED AS TO DEFENDANT(S) CHURCH OF SCIENTOLOGY OF CALIFORNIA, INC.,  
CHURCH OF SCIENTOLOGY OF BOSTON, INC., KEVIN TIGHE, ROBERT JOHNSON & / DAVID ADEN  
~~WITH~~ PREJUDICE - ~~WITHOUT~~ COSTS.

DATED AT BOSTON, MASSACHUSETTS, THIS 12TH DAY OF OCTOBER 19 83.

NOTICE SENT:

- 0-17-83
- G.B.&F
- G.
- L.S.
- D.B.
- & ASSOC.
- M.B.
- & S.
- W.R.

MICHAEL JOSEPH DONOVAN,  
CLERK OF COURT

By: John P. Ryan  
ASSISTANT CLERK

\*Strike inapplicable words

rb.

A  
WLF

*Notary*

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT  
C.A. No. 54258

MICHAEL J. FLYNN  
Plaintiff

VS.

CHURCH OF SCIENTOLOGY OF  
CALIFORNIA, INC., et al  
Defendant

PLAINTIFF'S MOTION TO DISMISS

SUFFOLK ss. SUPERIOR CIVIL COURT  
DEPARTMENT OF THE TRIAL COURT

*Oct 12* 19 *83*

ALLOWED BY THE COURT.

ATTEST: *[Signature]*

*[Signature]*  
CLERK

Plaintiff moves to dismiss without prejudice pursuant to  
Mass.R. Civ.P. #41(a)(2).

As grounds therefor, plaintiff states that no counterclaims  
have been filed, no discovery has taken place to date and there is  
no prejudice to defendants in allowing this dismissal.

*Sept 29, 1983*  
*Motion set down for hearing*  
*on Wed, Oct 12, 1983 at*  
*9:30, room 243*  
*By the Court*  
*[Signature]*

by his attorneys,  
HOLLINGSWORTH & ASSOCIATES

by *[Signature]*  
David M. Banash  
10 Union Wharf  
Boston, Massachusetts 02109  
(617) 227-5100

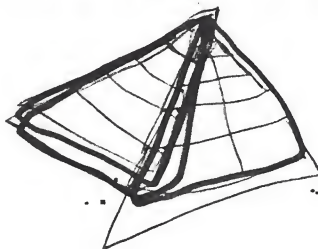
ICE SENT:  
10-83  
S.A.S.SOC.  
M.B.  
G.  
S.  
L.S.  
D.B.

Dated: September 29, 1983



## ESSENCE OF A DRAFT ORDER

Even if it is assumed for the purposes of Mass.R.Civ.P. 56 that it has been established on this record that the defendants are a religion or a religious organization and the statements (and even the acts) which are claimed to be religious relate to religious beliefs and practices of the defendant, there still remains a "triable" issue. The plaintiffs have caused to appear on the record that certain statements, acts and practices of the defendants had a secular purpose or were effected entirely on a secular basis, and as such, have created a jury issue in this regard.



Report it -

- better writing -
- decided interlocutory  
⑤ appeal review -
- Exact wording -  
Essence + draft  
he has written

Not Report it

- guideline -  
chance to  
24
- P. Order Beneficial  
vs. neutral  
or  
Jelig -
- if not necessary -